

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Upon entry of this Amendment, claims 2-9, and 11-20 will be pending in the present application. Claims 1, 10, and 21-23 have been cancelled.

Applicant notes with appreciation the Examiner's indication that claims 16-20 are allowed and the claims 2-5, 7-9 and 11-14 would be allowable if rewritten in independent form. Applicant has adopted the Examiner's suggestion and amended claims 2, 7, and 11 to place them in independent form. Claims 3-5, 8, 9, and 12-14 depend from rewritten independent claims 2, 7, or 14. Claims 6 and 15 have been amended to depend from rewritten claims 2 and 11, respectively. Thus, claims 2-9 and 11-15 are believed to be in condition for allowance.

Claims 1, 6, 10, and 15 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,423,313 ("the '313 patent"). Applicant respectfully submits this rejection has been rendered moot due to the cancellation of claims 1 and 10, and the amendments to claims 6 and 15 to depend from allowable claims 2 and 11, respectively. Accordingly, applicant respectfully request that the above rejection of claims 1, 6, 10, and 15 be withdrawn.

Claims 21-23 stand rejected under 35 U.S.C. § 103 as being unpatentable over the '313 patent in view of U.S. Patent No. 5,279,288 ("the '288 patent"). Applicant respectfully submits this rejection has been rendered moot due to the cancellation of claims 21-23. Accordingly, applicant respectfully requests that the above rejection of these claims be withdrawn.


Claims 21-23 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-55 of U.S. Patent No. 6,102,042 in view of the '288 patent. In addition, claims 21-23 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,439,228 in view of the '288 patent. Applicant respectfully submits these double patenting rejections have been rendered moot due to the cancellation of claims 21-23.

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Accordingly, applicant respectfully requests that the above rejections of these claims be withdrawn.

All objections and rejections have been addressed. It is respectfully submitted that the present application is in condition for allowance and a Notice to the effect is earnestly solicited.

Respectfully submitted,

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Note: The Commissioner is authorized to charge any fee required under 37 C.F.R. §§ 1.16 or 1.17 to deposit account no. 50-0558.